

REMARKS

This application has been reviewed in light of the Office Action dated May 23, 2002. Claims 24-36 are presented for examination. Claims 1-23 have been canceled, without prejudice or disclaimer of subject matter. Claims 24-36 have been added to provide Applicants with a more complete scope of protection. Claims 24 and 31 are in independent form. Favorable reconsideration is requested.

The title of the invention has been amended to reflect the title suggested in the Office Action, and the abstract has been amended as to matters of form, as required in the Office Action.

A Claim To Priority and a certified copy of the priority document for this application were filed on December 21, 1998, as evidenced by the returned receipt postcard bearing the stamp of the Patent and Trademark Office, a copy of which is attached hereto. Applicants respectfully request acknowledgment of the claim for foreign priority and the receipt of the certified copy.

Information Disclosure Statements and corresponding Forms PTO-1449 were filed on April 5, 1999 and June 21, 2002. Applicants respectfully request the Examiner to return initialed copies of the respective Forms PTO-1449, indicating the references cited thereon were considered.

Claims 1-4, 6-8, 10-11, 13-16, 18-20, 22, and 23 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent 6,108,033 (Ito). Claims 5, 9, 12, 17, and 21 were rejected under 35 U.S.C. § 103(a) as being obvious from Ito in view of U.S. Patent 6,359,644 (Salvati).

As an initial matter, the rejections of Claims 1-23 have been rendered moot by the cancellation of these claims. Applicants will nevertheless address the cited references in case the Examiner deems them to be applicable to new Claims 24-36.

Independent Claim 24 is directed to an image processing apparatus having an input unit adapted to input image data and a reception unit adapted to receive information from an external apparatus as to a size of an object or a distance to the object. A detection unit is provided that is adapted to detect the object corresponding to the received information from the image. A transmitter is provided that is adapted to transmit a detection result of the object to the external apparatus when the detection unit detects the object.

Ito, as understood by Applicants, relates to a monitor camera system that detects and tracks an object using a background difference method (see Figs. 5A-5B), to generate a template to be used to track an object (see column 6, lines 58-67). Ito is not understood to describe or suggest a reception unit adapted to receive information from an external apparatus as to the size of or distance to an object, as recited in Claim 24. Apparently, Ito relies on template matching to estimate object distances. Nor is Ito understood to describe or suggest a transmission unit that is adapted to transmit a detection result of the object to the external apparatus, when a detection unit detects the object.

Salvati, as understood by Applicants, relates to a remote visual inspection device that allows a user to mark an object and calculate the size of the object based on focus and zoom data (see Abstract). Although Salvati employs zoom and focus data to calculate object size, a combination of Salvati and Ito, assuming such combination is even

permissible, still would not describe or suggest the reception and transmission units as claimed in Claim 24.

Accordingly, Claim 24 is believed to be patentable over Ito and Salvati, considered separately or in combination.


Independent Claim 31 is a method claim corresponding to Claim 24, and is believed to be patentable for at least the same reasons as discussed above in connection with Claim 24.

The other claims in this application are each dependent from one or the other of the independent claims discussed above and are, therefore, believed patentable for the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual consideration of the patentability of each on its own merits is respectfully requested.

In view of the foregoing amendments and remarks, Applicants respectfully request favorable reconsideration and early passage to issue of the present application.

Applicants' undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our below listed address.

Respectfully submitted,



Attorney for Applicants
Lock Seef-Johnes
Registration No. 38,667

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-3801
Facsimile: (212) 218-2200

NY_MAIN 284216v1